

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 04-10856MEL

HOWARD KAPLAN,

Plaintiff,

v.

WEND MANAGEMENT, INC.,
WENDY'S OLD FASHIONED
HAMBURGERS OF NEW YORK,

Defendants.

NOTICE OF APPEARANCE

Please enter my appearance as attorney for the defendants, Wend Management, Inc. and Wendy's Old Fashioned Hamburgers of New York in the above-entitled action.

WEND MANAGEMENT, INC. and
WENDY'S OLD FASHIONED
HAMBURHGERS OF NEW YORK

By their attorneys,

/s/ Mathew P. Barry
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Dated: December 10, 2004